

LASONIA D. MOULTRIE,

Petitioner,

-vs-

UNITED STATES OF AMERICA,

Respondent.

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) C/R No.: 2:10-1197 DCN
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) **ORDER**
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Longstanding circuit precedents have provided that a prisoner who requests free copies of records in his or her criminal case, whether it is a state case or a federal case, must show a particularized need for such records. Jones v. Superintendent, Virginia State Farm, 460 F.2d 150, 152-153 & nn. 3-4 (4th Cir. 1972), *adhered to*, 465 F.2d 1091, 1092-1096 (4th Cir. 1972)(denying rehearing *en banc*), *cert. denied*, 410 U.S. 944 (1973). ***A state or federal prisoner does not have the right to request free transcripts so that he or she can search the record of conviction to find possible flaws.*** See United States v. Glass, 317 F.2d 200, 202 (4th Cir. 1963)("An indigent is not entitled to a transcript at government expense without a showing of need, merely to comb the record in the hope of discovering some flaw."); and United States v. Shoaf, 341 F.2d 832, 833-836 & nn. 1-6 (4th Cir. 1964)(reaffirming Glass). The United States District Court for the District of South Carolina has also applied those

precedents in cases where state prisoners have sought orders from this court to direct courts of the State of South Carolina to provide them free transcripts. *See, e.g., Ham v. Leeke*, 459 F. Supp. 459, 462-463 & n. 11 (D.S.C. 1978), *appeal dismissed*, 586 F.2d 837 (4th Cir. 1978)[Table].

IT IS THEREFORE ORDERED, that the Motion for Extension of Time to file a response is **GRANTED**. Petitioner shall have until April 15, 2012 to file a response to government's Motion to Dismiss.

IT IS FURTHER ORDERED, that the Motion to Furnish Transcripts at No Cost is **DENIED**.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'D. Norton', written over a horizontal line.

David C. Norton
United States District Judge

February 23, 2012
Charleston, South Carolina